

RETURN DATE : March 24th 2021 @ 9:30
A.M.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

-----X
In re:

Case No. 20-71877-reg

Chapter: 7

Diamond Finance Co., Inc.

-----X
NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed application of
Christine Hoey, _____ a hearing will be
held before the Hon. Judge Grossman, Bankruptcy Judge, to consider the
_____ motion for an Order granting relief as follows:

Pleading to Quash subpoena issued by Leason Huynh,
Olshan Frome Wolosky.

Date and time of hearing: March 24th 2021 @ 9:30 A.M.

Location : **U.S. Bankruptcy Court**
290 Federal Plaza
Central Islip, New York 11722
Courtroom # 860, 8th Floor

Dated: 2/17/21


(Signature)

EASTERN DISTRICT OF NEW YORK

-----X
In re:

Diamond Finance Co., Inc.

Case No. 20-71877-Reg
Chapter: 7

-----X
APPLICATION IN SUPPORT OF MOTION

To the Hon. Judge Grossman, Bankruptcy Judge:

I, Christine Hoey, _____ herein, make this application
in support of my motion for the following relief:

Pleading to Quash Subpoena issued by Lawson Huynh,
Olshan Frome Wolosky.

In support of this motion, I hereby allege as follows:

please see attached

WHEREFORE, Christine prays for an Order granting relief requested.

Dated: 2/17/21



(Signature)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

Case No. 20-71877-reg
Chapter: 7

Diamond Finance Co., Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that on 2/17/2021, a copy of the annexed papers was served by depositing same, enclosed in a properly addressed postage-paid envelope, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon *[below specify the name and mailing address of each party served]:*

Diamond Finance Co., Inc. -

2200 Marcus Avenue New Hyde Park N.Y. 11042

Wayne M Greenwald, Wayne Greenwald, PC

475 Park Avenue South - 26th Floor N.Y. NY 10016

Trustee Marc A. Pergament Weinberg Gross & Pergament
400 Garden City Plaza Suite 403 Garden City
N.Y. 11530

Michael S Fox Olshan Frome Wolosky LLP

1325 Avenue of the Americas New York NY 10019
United States Trustee Long Island Federal Courthouse
560 Federal Plaza - Room 560 Central Islip
N.Y. 11722-4437

Dated: 2/17/21


(Signature)

RE: Case# - 20-71877-(REG) - Motion to Quash

CHAPTER - 7 - Subpoena - Eastern District of NY

DEBTOR - Diamond Finance Co Inc

RELIEF REASON - Undue Burden to Christine's Well-Being

2002 -

She had back surgery - L5 S1. She returned to work 2 weeks later.

2008-

During a vacation, her health started to bother her. Her left groin had become painful. She was unable to walk or stand for more than 10 mins(ten minutes)

I ended up pushing her in a wheelchair for the remainder of our vacation (6 additional days)

2 weeks later -

She still had pain in her left groin and thigh, then the exact same pain and in the exact same area started in her right groin.

1 week later -

Pain continues with burning, Remind you, the pain is 'Bi-

Lateral', it has now spread across her Whole Body, from her head down to her ankles.

2009-

She was shuffled from Doctor to Doctor for the next few years. No one could figure out a diagnosis.

Was it her Back, her Hips, MS, Lupus, Cancer or Arthritis?

These were the questions being asked. She must have had at least 10-15 MRI's, same amount of X-rays - endless blood tests, mental and physical tests were also done. No answers were achieved after all these Doctors and tests.

Arthroscopic Surgery was performed in 2010 at "Hospital For Special Surgery", NY NY. Her Doctor was David Mayman. He had thought she had a Labral Tear in both hips, Unfortunately, a labral tear was not the cause of her pain or burning.

As the years pass her pain continued, her anxiety and stress Increased. She was trying to continue her regular lifestyle, but it became too difficult and painful.

All her daily activities and chores were affected. She could no longer walk, bike or do Yoga. Our personal life was being affected.

We had an active lifestyle and everything 'STOPPED', going out to dinner was even impossible. We lost all of our friends.

She had to reduce her hours and days at work.

2012-

She was, Finally, accepted as a patient at 'Johns Hopkins Hospital' (Baltimore, Maryland)

Her Doctor is Paul Christo.

He diagnosed her with the following:

1. Fibromyalgia
2. Chronic Fatigue Symptom
3. IBS
4. Celiac
5. Migraines
6. Auto Immune Disease

Now that she had a diagnosis (after 2.5 years) what is next for her, for my family?

How does she cope with these horrible, life altering and LIFELONG Diseases?

We are still trying to figure that out!!

Dr Paul Christo subscribed the following medications:

1. Neurontin - Current Dose - 2600mg Per Day. This has increased by 300mg per day since she received the Subpoena.

2. Tramadol- Current Dose - 150mg per day. This has increased by 50mg per day since she received the Subpoena.
3. Cymbalta- Current Dose - 60mg per day.
4. Ambien - Current Dose - 10mg per night.

As the days/weeks and years pass, her health continues to Decline (even with the medication)
She continued to work to the best of her ability, but the quality and quantity of her work declined.

The 'Stress' of her job, with Diamond Finance Co, affected her pain 100%.

Increased Stress = Increased Pain = Increased Burning and Stomach Flares-Ups.

Please understand, Christine has PAIN Everyday from her Neck to her ankles and sleeps 16 hours a day.

The stomach, also known as 'The Second Brain', Her two Struggling brains fighting against Each other. Once both brains are affected negatively, her Body and Head goes into a 'Downward Spiral'.

These are her symptoms-

1. Extreme Fatigue

2. Pain - throughout her entire body
3. Burning
4. Brain Fog
5. Neck Pain
6. Migraines
7. Nausea
8. Anxiety
9. Depression
10. Lack of Concentration

The only thing that's changes is the level of pain she is in on any particular day.

Again, Please Understand, I am Not Exaggerating her condition, her symptoms or her Pain.

On a Good Day her pain level is at 7!

On a Bad Day her pain level is at 9!

She is not able to fully dress herself and she needs help bathing. Cooking is also a challenge, which she is trying to overcome. Everyday chores are a constant struggle for her and are usually completed by me.

2018 -

We made a long and very difficult decision to have her Resign from her position at Diamond Finance Co. Inc.

Work increased her Stress and Pain and Decreased her energy.

Depression set in due to her constant battle with her health. She wasn't even capable of participating in her own Life.

Work became impossible for her to continue. She would literally, fall asleep at her desk. She would have to lay on her office floor when her muscles began to spasm.

She couldn't concentrate, she couldn't remember what her duties were. This part of her disease is called - 'Fibro-Fog'.

2019 - To Present -

After Christine resigned, we hoped and prayed she would start to feel better without the stress and daily duties/ pressures from her job but her pain was still exasperating. As we have wanted to do for awhile, we decided to move to Florida, Warmer weather was optimum for her health and she has a sister here.

Her stress level certainly decreased but her Fibromyalgia was still unbearable.

Then her life took a Wild and Painful Turn.

She was served a Subpoena regarding Diamond Finance/ Robert Diamond.

Since then she has had to increase her medication, her stress and pain level has Risen and her Fibromyalgia has been in a flare-up since that day.

She/we were starting to move in a positive and healthy direction until that Subpoena was served to her. She had had to see her Doctor more regularly and She hasn't been able to get a full nights sleep.

I Pray you understand (not sympathize) but understand that moving forward with the Subpoena is NOT Healthy for Christine or my Family.

The day she was supposed to give a deposition, she did not sleep for 2 days. She hadn't eaten all week and her pain level Increased to a High 9!! I had to cancel that deposition. I thought she was capable, however she was Not!

However, I did forward (via Fed-ex) the only documents she had regarding Diamond Finance - Employee Hand Book. I also sent copies of her medical records. I left a voicemail message and sent a couple of text messages to attorney Lawson, but haven't heard back from him yet.

I am PLEADING to you Your Honor, I Pray your Ruling will be in her favor, to 'Quash the Subpoena'

Thank you in advance for your understanding and

cooperation.

A handwritten signature in cursive script that reads "Charles Hoey".

Charles Hoey

A handwritten signature in cursive script that reads "Christine Hoey".

Christine Hoey